

CITY CHARTER PRESENTED UPSETS OLD TIME METHODS

Aldermanic Powers Increased, Comptroller's Curtailed—Chamberlain Made Elective Office—New Commissions Created—Education Made Exclusive Duty of Salaried Officers.

ALBANY, N. Y., July 13.—The proposed New York City charter was reported to the Assembly today by Chairman Foley of the cities committee. In submitting the report, Mr. Foley explained that the committee and those having the drafting of the measure in charge had been working night and day during the past few weeks and that its submission really marks the culmination of more than five years' work in charter drafting. The committee, he said, has taken the best suggestions from the Evans and Hammond charter commission reports as well as those from Mayor Gaynor and city organizations with a view to giving the people of the city efficient and economical administration.

After considerable desultory debate the bill was ordered printed and recommended to the cities committee.

The following statement, in part, was issued today by the Legislative Committee in charge of the proposed city charter:

"Our purpose has been to retain the provisions of the present charter, except to eliminate unnecessary verbiage and inconsistent provisions, making only such changes as seemed to be required in the interests of economy and good government. As a result, the volume of the present charter has been reduced one-half, and its provisions have been stated in concise language, scientifically arranged.

"All of the suggestions made by the civic bodies and associations, a permanent officers and individuals of the city have received careful consideration, and, to a large extent, have been adopted.

"Many special acts, which are not now in the charter, but which relate to the government of the city, have been incorporated in their proper places.

"The following constitutes a brief summary of the features of the proposed charter:

BOARD OF ALDERMEN.
"The powers of the Board of Aldermen are continued without substantial change. The Board is given the power of redistricting aldermanic districts within each borough, which was heretofore vested in the Legislature.

"A large number of sections of the present charter, dealing with matters properly the subject of ordinance, are constituted part of the code of ordinances, subject to repeal or modification by the city council.

BOARD OF ESTIMATE AND SINKING FUND COMMISSION.
"The Board of Estimate has been given general jurisdiction over the acquisition of real property for the city; the Sinking Fund Commission over the disposition of city property.

"The membership of the Board of Estimate has been increased by the addition of the Chairman of the Finance Committee of the Board of Aldermen, who is to have one vote. This has been done in order that the chairman of the committee of the board which finally passes upon the budget should have an intimate knowledge of its makeup and a familiarity with the purposes for which corporate stock is to be issued.

"The power to fix salaries of the city and county officers and employees is vested in the Board of Estimate, subject to concurrence of the Board of Aldermen, but all existing salaries are continued.

"The provisions of the existing charter as to contracts have been continued without substantial change, except that the Board of Estimate is given power to standardize the forms of contracts and specifications, and establish standards of quality and maximum prices.

BUDGET.
"A committee of the Board of Estimate has been authorized for the purpose of preparing between July 1 and Oct. 1 a tentative estimate for the consideration of the Board of Estimate in preparing the annual budget.

CITY OBLIGATIONS.
"The permanent obligations of the city have been divided into corporate stock and assessment bonds, the temporary obligations of the city into revenue bonds and special revenue bonds, the latter to be paid out of taxes collected for the current or succeeding year.

"The payment of the cost of maintenance and operating expenses of the proceeds of corporate stock is prohibited, and corporate stock can be issued only for the purpose of providing for permanent improvements.

FRANCHISES.
"Franchise rights have been classified as franchises granted for a fixed term and revocable privileges terminable at will.

"The existing provisions of statute relating to the granting of franchises by the Board of Estimate and the terms for which franchises can be granted have been continued without change.

"The provisions of the Rapid Transit act requiring the separate assent of the Mayor to the granting of a franchise thereunder has been incorporated in the charter in ambiguous terms.

MAYOR.
"The right of succession to the office of Mayor and the election of his successor in case of vacancy are made definite.

"The Commissioner of Accounts and Statistics is given the power as to statistics and investigation previously possessed by the Bureau of Investigation and Statistics in the Comptroller's office.

ADMINISTRATIVE DEPARTMENTS.
"The head of each department is given general control over the administrative

GOVERNMENT FOOD EXPERT ACCUSED IN BOARD REPORT.



HARVEY W. WILEY
EXPERT

business, property and labor interests of the city and the Department of Agriculture, with comprehensive powers, has been created.

DEPARTMENT OF HOSPITALS.
"The Department of Hospitals has the power now vested in the Board of Trustees of Bellevue and Allied Hospitals.

MUNICIPAL CIVIL SERVICE.
"The Municipal Civil Service Commission is given jurisdiction over the civil service of the city and the counties within the city, and may make rules and regulations independent of the State Civil Service Commission. Inasmuch as all officers and employees of the counties are paid from the city treasury, and are in fact city officers and employees, no reason exists why any distinction should be made as to the method of their appointment or removal.

BOROUGH PRESIDENT.
"The powers of the Borough President, except as to buildings, are continued without change.

OTHER DEPARTMENTS.
"The provisions of the present charter as relate to the Departments of Water, Gas and Electricity, Police, Health, Tenement House, Charities, Correction, Parks, Bridges and Street Cleaning, are continued without substantial change.

"The ambulance service has been placed under the jurisdiction of the Charities Department.

REPEAL.
"In accordance with the suggestions of the Bar Association of the City of New York, a schedule of laws repealed has been included, providing for the repeal of special acts covered by the subject matter of this act, including and subsequent to the Greater New York Charter.

"We confidently believe that the proposed act, as submitted, will provide a comprehensive, economical and efficient charter for the government of the City of New York."

TAX DEPARTMENT.
"In the Tax Department we have incorporated the provisions of the amendments to the charter made at this session providing for the semi-annual payment of taxes.

LAW DEPARTMENT.
"The corporation counsel is given the exclusive jurisdiction over the settlement for injuries to persons and property. His right to settle and adjust actions on contract is continued without substantial change.

DEPARTMENT OF EDUCATION.
"As recommended by the Mayor, a Board of Education, consisting of seven salaried members, has been created.

"In view of the fact that the expenditures of the Board of Education amount to over thirty million dollars a year, we believe that the officers who are responsible for that department and its expenditures should give their time exclusively to the performance of their duty.

"The bill as drawn contemplates that the powers of the Board of Education be directed principally to the administrative and business details of the department, and that the educational and pedagogical functions of the department be performed by the educational experts in the department. The tenure, salaries, pensions and compensation of the members of the supervising and teaching staffs have been retained without change.

"The recommendations recently made by the Board of Education as to the fixing of compensation of the members of the supervising and teaching staffs, without regard to sex, have been adopted.

"Upon the recommendation of the Bureau of Municipal Research, the Board of Education has been given power to establish a Bureau of School Statistics, Information, Sanitation and Hygiene.

FIRE DEPARTMENT.
"The entire responsibility for the administration of the department is placed upon the Fire Commissioner.

"In response to the demands of the

TAFT IS ASKED TO OUST WILEY UNDER CHARGES

Wickersham Approves Finding of Board Accusing Pure Food Expert of Illegal Act.

DR. RUSBY'S PAY IS ISSUE.

Snarl Over Employment of Columbia Man—Taft Silent and Wiley "Not Scared."

WASHINGTON, July 13.—Dr. Harvey W. Wiley, pure food expert and Chief of the Bureau of Chemistry of the Department of Agriculture and one of the most widely known officials in the Government service, has been condemned by a committee on personnel of the Department of Agriculture with a recommendation to the President that "he be permitted to resign."

Attorney-General Wickersham, in an opinion on the case, submitted to the President, recommends approval of the committee's action.

It is charged against Dr. Wiley that he permitted an arrangement to be made with Dr. H. H. Rusby, a recognized pharmacologist of Columbia University, New York, for compensation in excess of that allowed by law.

It is claimed that the arrangement was to put Dr. Rusby on the payroll of the department at \$1,600 a year as an employee of the Bureau of Chemistry, an agreement being made with him that he should be called upon to perform only such service as at this salary would compensate for at this rate of \$20 per day for laboratory investigations and \$50 per day for attendance in court.

Attorney-General Wickersham held that the law permitted the payment of only \$9 a day, this sum later being increased to \$11 a day.

Along with the suggestion that Dr. Wiley, because of these alleged irregularities in the employment of Dr. Rusby, be permitted an opportunity to resign, the committee on personnel and the Attorney-General have recommended the dismissal of Dr. Rusby and the reduction of Dr. L. R. Keble, Chief of the Division of Drugs of the Department of Agriculture. The committee further recommended that Dr. W. D. Bigelow, Assistant Chief of the Bureau of Chemistry, also be given an opportunity to resign.

President Taft has not indicated what action he will take on the case. The matter has become public only now, although the investigation was begun last March. Attorney-General Wickersham's recommendations in the case bear date of May 15. In summing up the situation the Attorney-General says:

"The evidence submitted by the committee on personnel clearly demonstrates the fact that Dr. Keble and Dr. Bigelow entered into a scheme to which Dr. Wiley lent his countenance and assistance, to procure the appointment of Dr. Rusby at the rate of \$1,600 per year under an express agreement with him that he was to do no more work under this appointment than would be paid for at the rate of \$20 per day of 75 hours when engaged in laboratory work and \$50 per day when engaged in court. These gentlemen resorted to a scheme to create an appearance of compliance with the law while at the same time distinctly agreeing not to comply with it.

"Such an agreement certainly merits censure, and because of the facts set forth I recommend the approval by you of the recommendations of the committee on personnel."

President Taft, it was learned later today, has forwarded all of the papers in the case to Dr. Wiley, and will take no action until he receives a personal statement from him. It is known that the President has the highest regard for the pure food expert and for his administration of the Bureau of Chemistry.

Dr. Wiley has been attacked almost constantly since the pure food law went into effect. It has been claimed by the interests affected that Dr. Wiley's attitude has been unduly harsh and unjust. Dr. Wiley has regarded Dr. Rusby as one of his most valuable assistants in the difficult task of enforcing the Pure Food and Drug act.

ONE-SIDED PRESENTATION OF CASE, SAYS RUSBY.
Dr. Rusby received all the papers in the case several days ago and his reply, made public in New York last night, had not reached Washington early today. In this reply, however, he is quoted as saying that he did not seek nor desire the work in the Department of Agriculture. Dr. Rusby says there has been no hearing on the charges, but justice demands that there should be one.

He charges that there was a one-sided presentation of the case to the Attorney-General to constitute the basis of his opinion. Dr. Rusby said that he had no means of knowing that the arrangement made with him was irregular in any way. He said he seems to be regarded by the department as a conspirator, and resented the idea that he could be dismissed in disgrace for reluctantly doing work which interfered with his regular employment.

Department officials were not willing to discuss the case in any form today. They declared that the matter had been submitted to the President for his consideration and final determination. Dr. Wiley has not resigned and so far there has been no request for his resignation. It is believed that with the publication of the technical charges against him, and the fact that there is a wave of protest against his proposed dismissal, and while the Washington friends of Dr. Wiley decline any part in the matter, the case they appear to be glad that some one outside of Washington took steps to secure publication of the matter at this time.

President Taft before acting on the case, it is said, will grant a hearing to all involved and will be guided only by his own judgment.

"DO I LOOK FRIGHTENED?" ASKS WILEY.
"I wouldn't advise anyone to wait around my office to see me put out; there is no telling how long that will be," said Dr. Wiley today when asked for a statement on the charges.

"Do I look frightened about this matter? All I know is that a copy of the charges was served on me about a week ago and I will not reply to them through Secretary Wilson to the President. Until the latter sees fit to make that statement public, I have nothing further to say in the matter."

DR. RUSBY TO FIGHT MATTER TO END.
NEWARK, N. J., July 13.—Dr. Rusby would see no one at his home here today. To all inquiries he sent out word that "the doctor had said all he proposed to say in his letter to Secretary Wilson, and had only this to add—that he did not propose to be libeled and would fight the matter to a finish."

Dr. Rusby later added that he had originally offered to serve in the Federal Government for nothing, but was informed that such arrangement was not possible. Dr. Rusby said that he asked that he be paid what his services were worth and the salary arrangement with the Department of Agriculture was then entered into.

SLAYER OF HUSBAND NOW DECLARED SANE.
Mrs. Frances O'Shaughnessy Will Have to Stand Trial on Charge of Murder.

Mrs. Frances O'Shaughnessy, who on May 5 last shot and killed her husband, George, during a fit of jealousy, will have to stand trial on a charge of murder.

The special commission appointed by Judge Mulqueen to inquire into her sanity at the time of the shooting reported today that they had found her sane.

The commission, which included Judge Lydecker, Dr. Charles E. Nammack and Henry C. Carey, Mrs. O'Shaughnessy was represented before the commission by Joseph H. Hennessey, who was twenty-one years old and had been married for about a year when he was killed, posed as an unmarried man in the grocery store where he was clerking. As such he made love to the cashier, Tessie Hayes, and the finding of a letter from the girl, who had learned that he was married, led to the shooting.

Following the shooting Mrs. O'Shaughnessy went quite out of her mind and declared that where she had shot her husband to save his soul. Her condition was such that Assistant District Attorney Moss believed that she might have been insane when she fired the fatal bullet at her husband. Her trial will be moved shortly.

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SHIPPING NEWS.
ALBANY FOR TODAY.
Sails, 4:40 a.m. (S. 17) Moon, 9:24 a.m. (S. 18) Low Water.

PORT OF NEW YORK.
Arrived: Atlantic City, 11:10 a.m. (S. 19) 11:15 a.m. (S. 20) 11:20 a.m. (S. 21) 11:25 a.m. (S. 22) 11:30 a.m. (S. 23) 11:35 a.m. (S. 24) 11:40 a.m. (S. 25) 11:45 a.m. (S. 26) 11:50 a.m. (S. 27) 11:55 a.m. (S. 28) 12:00 p.m. (S. 29) 12:05 p.m. (S. 30) 12:10 p.m. (S. 31) 12:15 p.m. (S. 32) 12:20 p.m. (S. 33) 12:25 p.m. (S. 34) 12:30 p.m. (S. 35) 12:35 p.m. (S. 36) 12:40 p.m. (S. 37) 12:45 p.m. (S. 38) 12:50 p.m. (S. 39) 12:55 p.m. (S. 40) 1:00 p.m. (S. 41) 1:05 p.m. (S. 42) 1:10 p.m. (S. 43) 1:15 p.m. (S. 44) 1:20 p.m. (S. 45) 1:25 p.m. (S. 46) 1:30 p.m. (S. 47) 1:35 p.m. (S. 48) 1:40 p.m. (S. 49) 1:45 p.m. (S. 50) 1:50 p.m. (S. 51) 1:55 p.m. (S. 52) 2:00 p.m. (S. 53) 2:05 p.m. (S. 54) 2:10 p.m. (S. 55) 2:15 p.m. (S. 56) 2:20 p.m. (S. 57) 2:25 p.m. (S. 58) 2:30 p.m. (S. 59) 2:35 p.m. (S. 60) 2:40 p.m. (S. 61) 2:45 p.m. (S. 62) 2:50 p.m. (S. 63) 2:55 p.m. (S. 64) 3:00 p.m. (S. 65) 3:05 p.m. (S. 66) 3:10 p.m. (S. 67) 3:15 p.m. (S. 68) 3:20 p.m. (S. 69) 3:25 p.m. (S. 70) 3:30 p.m. (S. 71) 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